

IN THE DISTRICT COURT OF SAUNDERS COUNTY, NEBRASKA

AM JJ INVESTMENTS, LLC,

Plaintiff,

vs.

ALTEN, LLC and all other persons or
Entities Real Name Unknown, having or
Claiming any right, title or interest in
W1/2 S12 T14N R8 6th, Saunders County,
Nebraska, Real Names Unknown.

Defendants.

Case No. CI- 20-45

COMPLAINT

FILED BY
CLERK OF THE DIST. COURT
2020 MAR 26 AM 9:35
SAUNDERS COUNTY
NEBRASKA

The Plaintiff for its cause of action alleges and states as follows:

1. Plaintiff, AM JJ Investments, LLC is a Nebraska Limited Liability Company existing under the laws of the State of Nebraska.

2. Defendant AltEn, LLC is a Nebraska Limited Liability Company and the owner of record of the following described real estate ("the Property"):

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 12, TOWNSHIP 14 NORTH, RANGE 8 EAST OF THE SIXTH P.M., SAUNDERS COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE WEST HALF OF SAID SECTION 12; THENCE S01°19'42"E (ASSUMED BEARING) ON THE WEST LINE OF SAID WEST HALF, A DISTANCE OF 1657.74 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S01°19'42"E ON SAID WEST LINE, A DISTANCE OF 1006.18 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 12; THENCE CONTINUING S01°19'42"E ON SAID WEST LINE, A DISTANCE OF 281.09 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND PREVIOUSLY DESCRIBED AND RECORDED IN DEED BOOK 423, PAGE 1097; THENCE EASTERLY ON THE SOUTHERLY LINE OF SAID PREVIOUSLY DESCRIBED PARCEL THE FOLLOWING COURSES; S86°29'47"E, 461.91 FEET; S84°20'41"E, 987.02 FEET; N01°22'56"E, 181.16 FEET; N88°49'56"E, 430.27 FEET; N01°04'49"E, 1,214.51 FEET; THENCE N89°45'19"W LEAVING SAID SOUTHERLY LINE, A DISTANCE OF 1,930.57 FEET; TO THE POINT OF BEGINNING, CONTAINING 57.35 ACRES, MORE OR LESS.



3. Defendants, all other persons or entities claiming any right title or interest in the Property Real Name Unknown, may have an unrecorded claim any right, title or interest in or to the Property.

4. On March 3, 2017, the Plaintiff received from the Treasurer of Gage County, Nebraska, and took an assignment of Tax Sale Certificate No. PU-002625 filed against the Property. A copy of the Tax Sale Certificate is attached to this Complaint and incorporated herein by this reference as Exhibit "A."

5. That subsequent taxes were duly and lawfully levied on said property, became delinquent and were thereafter endorsed on said respective Certificate, and are now liens thereon.

6. The Plaintiff is the owner and holder of Tax Sale Certificate No. PU-002625, and is entitled to foreclose the lien for taxes represented by the Certificate and subsequent taxes endorsed on the Certificate.

7. There is due the Plaintiff on the tax lien the amount set forth in the Certificate and the subsequent tax receipts with interest thereon at fourteen percent (14%) per annum from the dates of issuance of the Certificate of Tax Sale and receipts; that the Plaintiff has a first and paramount lien on said property for the total amount of the taxes and interest and the Plaintiff is entitled to foreclosure thereof.

8. Pursuant to **Neb. Rev. Stat. 25-321**, Plaintiff states that there may be persons or entities who appear or claim to have some right, title or interest in said real estate that do not appear of record in or by their respective names in this County, and that the Plaintiff and their attorneys, after diligent investigation and inquiry, are unable to ascertain the names or whereabouts of such persons. That by reason whereof, such persons are designated herein as: all other persons or entities Real Name Unknown, having or claiming any right, title or interest in said real estate, but that

whatever right, title or interest in said real estate said persons or entities may claim or appear to have is junior, subject and inferior to the interest of the Plaintiff.

WHEREFORE, Plaintiff prays that a decree be entered finding and decreeing as follows:

1. A finding, the items of tax claimed were duly assessed and levied by the proper authorities according to law in the separate and several amounts and for the years claimed upon the real estate.

2. A finding, the real estate was subject to taxation for state, county, city, school district, and municipal and public purposes.

3. A finding, the Plaintiff has a valid, prior, paramount and first lien upon the real estate for the amount of taxes assessed and levied against the real estate and Plaintiff is entitled to foreclosure of that lien.

4. A finding, that whatever their interest, right, title to, or lien upon, the real estate herein, the Defendants interest is inferior, junior, and subject to the lien held by Plaintiff.

5. For decree finding in favor of the Plaintiff, that the taxes and assessments herein claimed may be decreed and held to be liens upon the real estate, as provided by law, and that upon settlement of such lien, the real estate, which may remain unredeemed, may be sold at public sale to satisfy the decree so entered together with interest and costs.

6. An accounting be had of the amount due this Plaintiff under and by virtue of its lien for unpaid taxes, interest, costs, and for attorney's fees as provided for by **Neb. Rev. Stat. § 77-1909** (Reissue 2018).

7. If in default of payment of such sums found due to the Plaintiff for a period of twenty (20) days after the entry of the decree, the real estate herein, shall be sold for the satisfaction of the lien, as provided by law.

8. The Defendants, and each of them, be foreclosed and forever barred of all claims upon, interest in, right or title to, lien up or equity of redemption in the real estate, upon the confirmation of the sale.

9. A Judgment that upon the sale of the real estate and upon the payments by the purchases of all subsequent taxes which shall have accrued, the purchaser or purchasers thereof shall take a good and indefeasible title to the real estate and shall be placed in possession of the same upon confirmation of the sale; and that Plaintiff shall have relief as the Court may deem just and equitable.

AA INVESTMENTS, LLC, Plaintiff

By:  #2218

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